

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

EUGENIO S. MATHIS, as personal representative  
of the Estate of Abelardo Montes, deceased,

Plaintiff,

v.

Civ. No. 23-983 JMC/SCY

WEXFORD HEALTH SOURCES, INC.;  
STATE OF NEW MEXICO; NEW MEXICO  
CORRECTIONS DEPARTMENT; DAVID JABLONSKI,  
Secretary of Corrections, in his individual capacity;  
CASAUNDR LACKEY, Health Services  
Administrator, in her individual capacity;  
ORION STRADFORD, Bureau Chief, in his  
individual capacity; STEVE MADRID, Grievance  
Officer, in his individual capacity; HEIDI JUESON,  
Grievance Officer, in her individual capacity;  
DR. DIETER DENNIG, Medical Director/Facility  
Medical Director, in his individual capacity; DR. JOSE  
ANDRADE, in his individual capacity; and JOHN  
DOES 1-10 in their individual and official capacities,  
(employees, staff, agents of WEXFORD HEALTH  
SOURCES, INC.; STATE OF NEW MEXICO; NEW  
MEXICO CORRECTIONS DEPARTMENT; CORECIVIC  
of TENNESEE, LLC, respectively).

Defendants.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Steven C. Yarbrough's March 29, 2024 Proposed Findings And Recommended Disposition ("PFRD"). Doc. 43. In that PFRD, Judge Yarbrough recommends that the Court dismiss without prejudice the John Doe Defendants. *Id.* Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. *Id.* at 3. The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v.*

*One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough's findings and recommendation.

**IT IS THEREFORE ORDERED THAT:**

1. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition (Doc. 43); and
2. The John Doe Defendants are DISMISSED WITHOUT PREJUDICE from this matter.

**IT IS SO ORDERED.**

/s/ Joel M. Carson III  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation